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I compose my Oklahoma County Bar Association President’s article for June 2020 during a challenging time in our city, state and country. I am not writing to present the views or scope of views of our members, but rather to offer some thoughts on the need for change. Also, please remember that several weeks pass between writing and publication of the Briefcase which as we have learned in 2020 can be an eternity of new events. History records many episodes of upheaval, change, and advancement since the founding of this Country. Throughout U.S. history we the people evolve and emerge from turbulent times with better ideas, enhanced self-awareness, greater inclusiveness, and more social awareness. I want to commend you for your membership and activity in your OCBA. I will take this moment to reflect upon our circumstances and direct you to some thoughts for a new normal that is already here and continues changing each day. I am suggesting that you need an action plan to ready yourself for our new normal.

In a nutshell, the OCBA is committed to the advancement of the legal profession. We recognized long ago that we were beseeched and fortunate to be a part of the legal profession where we strive to support and uphold the rule of law. We also recognize that there are racial bias, education, socio-economic barriers, and institutional issues within our legal system. The OCBA has a history of involvement with and goal of improvement in these areas. I am proud of diversity efforts that the Bar, volunteer bar and institutional issues within our legal system. The OCBA has a history of involvement with and goal of improvement in these areas. I am proud of diversity efforts that the Bar, volunteer bar and organizational efforts of multiple decades. Your OCBA Board is diverse; probably more so than the Bar as a whole. We have directors and officers of multiple ethnicities, genders, and a wide range of ages. The OCBA has promoted and its membership is engaged in advancing access to justice for those who encounter such barriers. I’m extremely proud of membership involvement in after school reading programs, programs like Family Junction/Pivot, fund raising to support the Regional Food Bank, clothing drives, representation of children in the juvenile justice system and support for Legal Aid of Oklahoma. Many of our members support and volunteer with organizations such as the ACLU, Trinity Legal, Catholic Charities, Police Athletic League, numerous after school activities and others. I know there are many other volunteer opportunities and activities I’m leaving out, but I could not list them all here.

Many members are actively engaged in City, State and US politics including as elected officials and just as importantly as voters. As citizens who have been educated about our government’s laws and Constitution, I have always thought of our members as those best suited for educating others about those laws, Constitutional rights and protections mean. We were set in 2020 to celebrate the 100-year anniversary of the ratification of the 19th Amendment to the US Constitution at our Law Day Luncheon and throughout the year with the traveling exhibit moving from location to location but it currently remains at the Oklahoma Supreme Court Judicial Center stranded there since the shutdown. The 19th Amendment and its ratification process is significant, and we should continue to celebrate that and to learn from it. Most of our OCBA meetings and plans for celebration have been COVID-19 canceled. No one knows what the remainder of 2020 holds for us considering all the circumstances. I will not be making any predictions because reality seems to have a way of being worse and saying gotcha after the fact. I do not dare make satirical fun of NBA referees since that may be the only “normal” thing we get back soon.

Many of our members have taken and will take their own steps to make their voices heard by means including, among others, volunteering, marching, writing editorials, speaking to organizations, running for political office, and voting. I urge our membership to remember the volunteer OCBA opportunities available when we can safely engage others in public settings. Also, during these difficult economic times we need to remember that most charitable agencies are in desperate financial need. The ranks of unemployed and homeless have swelled to levels not seen in many decades. Please go to the OCBA website and find an opportunity to plug in or make your own opportunity.

The term “justice” has been tossed about by many recently. The OCBA as a volunteer association of licensed and practicing lawyers is a group supporting the rule of law in our system of criminal justice, civil justice, and social justice. Those are separate and distinct areas of legal practice, but all have the common thread of justice. The famous symbol of justice which appears on and in many of our courthouses is the Lady of Justice. She is dressed differently in different depictions but for the most part has a blindfold, balance, and sword. The Lady of Justice is the allegorical personification of the moral force in judicial systems. For our systems of justice whether criminal, civil or social to function and survive they must be moral, true, and have a component of mercy. Otherwise, people are seeking only revenge which is not justice. It is up to us as members of a significant and important part of the legal system to work toward achieving those goals of truth, mercy, and morality. Change has always been part of an ever-evolving justice system. Sometimes change comes painfully but it always requires that individuals and organizations work toward creating, enforcing, and governing that change. While I am proud of the OCBA position and our member involvement discussed above, it does not appear to be enough. The new normal seems to require more from us than just coping with situations. During times like these each of us should consider creating individual goals and priorities for the new normal.

This year presents a pivotal year for many of us in careers, family, and life. It is a time for renewal and to rethink your goals and priorities. I have no idea what that looks like for any individual, but I do know that we must be better. I urge you to include in your plan for the new normal support for the rule of law in arenas of social, criminal, and civil justice. Access to justice has deeply rooted racial, economic, educational, and societal barriers and prejudices that require significant effort to affect change and improvement. Your OCBA stands ready to help with change and has an immediate goal of creating public-directed programs and activities back up and running. The new normal is going to happen with or without your involvement. Yes, change can be painful, but the payoff will be one we can celebrate. Better yet, the payoff will be one celebrated by our children, grandchildren and all those who come after us. Since 2020 presents as a historic year, let it be known for change for the better—not just change for good—because good is no longer good enough.

Michael W. Brewer is an attorney, founder and partner of Hiltgen & Brewer, P.C. in Oklahoma City, Oklahoma. To contact Mike, email mbrewer@hbokc.law, call (405) 605-9500 or tweet him at @astymike. For more information, please visit www.hbokc.law.

“Sometimes it does seem that history is not one damn thing after another, it is the same damn thing over and over.”

George Will, Writer and columnist (1941-) (commenting on the use of troops to clear Lafayette Park and comparing that with the use of cavalry to clear an encampment of WWI veterans demanding veterans’ bonuses in 1920.)
Stump Roscoe

STUMP ROSCOE
By Roscoe X. Pound

Dear Roscoe: My client is seeking custody of her son, currently in the guard-ianship of her mother. At the first hearing, she appeared pro se. It turns out that they had been neighbors growing up, and the Judge and my client were good friends through high school. The three of them spent some time catching up on old times before the docket. The case was called, and the Court placed the child with my client subject to a 90-day review. During that time? Would Santa be liable? E.D., OKC

Dear J.B.: In my humble opinion, I’d be surprised if you didn’t bark. I’d probably bark and bite. We’re sailing into Court on the same wave. What happens next is anyone’s guess as to what注定的 outcomes. The right to an impartial judge is funda-mental. When the facts of a case reveal a great risk of actual bias, the presumption of impartiality is rebutted, and a due pro-cess established is valid. Now, I’m not saying that judges should eschew social media. There’s no opinion I know which says they can’t post or comment on Facebook, and many respectable opinions say they can. See, e.g., State v. Thomas, 376 P.3d 184, 198 (N.M. 2016); see also Law Offices of Herseen & Hess, P.A. v. United Servs. Auto. Ass’n, No. 3d de-2017 WL 5904234 at *7 (Fla. Nov. 15, 2017). Motion to罢免 judges to be careful of avoiding the appearance of impropriety through their use of ESM. See Thomas, 376 P.3d at 194. They reflect the common-sense rationale that “[a] judge may participate in electron-ic social networking, but as with all social relationships and contacts, a judge must . . . avoid any conduct that would under-mine the judge’s independence, integrity, or impartiality, or create an appearance of improper-ty.” ABA Formal Op. 462 at 1 (2013). I think your neighbors in New Mexico pretty much got it right in Thomas, too:

While we make no bright-line ban prohibiting judicial use of social media, we caution that ‘friending,’ online postings, and other ac-tivity can easily be misconstrued and create an appearance of impropri-ety. Online comments are public communications, and a connection via an online social network is a visi-ble relationship, regardless of the strength of the personal connection.

Id. I also think that our friends in Wisconsin also got it right when they ruled: ex parte communications are generally prohibit-ed because they may be initiated—or at least appear to be initiated—in an attempt to influence a judge’s decision. See Jocius v. Jocius, 218 Wis. 2d 103, 109, 580 N.W.2d 708 (Ct. App. 1998). As the Florida Supreme Court aptly stated:

Nothing is more dangerous and destructive of the impartiality of the judiciary than a one-sided commu-nication between a judge and a sin-gle litigant. Even the most vigilant and conscientious of judges may be subtly influenced by such contacts. No matter how pure the intent of the party who engages in such con-tacts, without the benefit of a reply, a judge is placed in the position of possibly receiving inaccurate infor-mation or being unduly swayed by unsolicited remarks about the other side’s case.


Ex parte communications have the potential to erode public confidence and create the appearance of partiality. That TMI and public confidence any judicial-ance of impropriety occurred here. In addition to the concerns discussed above, your judge’s acceptance of Grandma’s “friend” request placed him in a position to view her Facebook activity on his news-feed. It is undisputed that this activity included “liking” and “sharing” of posts related to child neglect, presumably an issue in the pending case. A reasonable person would perceive the Court’s access to these posts as potentially influencing his decision. Regardless of whether the either viewed these posts or was actually influenced—i.e., whether he was sub-jectively biased—this perception further establishes the existence of objective bias. I have seen all this eclipses the virtual non-issue of “equally friendly.” As to that, see, my own Supreme Court of New Jersey’s opinion in In the Matter of John F. Russo, P.A., 202 P.3d 3, 2020.

Dear Roscoe: Watching TV and my son asks me a question but stated by that he “copped a plea.” I had no idea (obviously I don’t practice criminal law). I grew up hearing that the “cop” for a policeman came from “constable on patrol”. I don’t get the connection. B.F., Edmond, OK.

Dear B.F.: Must’ve been a good show if you couldn’t get away to get your dic-tionary (provided it’s a relatively modern one). It reminds me of one of my several trips to or across Oklahoma. I accompa-nied a friend to a retirement shindig for the late Judge Rakestraw. I already knew the name. Somewhere in my meandering studies of law I learned that she and her husband Bryan were the first married couple to be admitted together to practice before SCOTUS. I believe she was also Oklahoma County’s first female district judge. Anyway, a chorus made up of judges and lawyers, all wearing judicial robes repurposed “Anything You Can Do, I Can Do Better” from the musical “Annie Get Your Gun.” “Copping a plea” was something judges of both genders admit-ted they couldn’t do.

I too grew up believing that “cop” meant “constable on patrol.” I now know that it’s derived from the Dutch and entered the English language in the early 18th Century. Some believe that the Dutch word “kapen,” which also loosely trans-latates to “to steal or take,” is related to policemen being called coppers or cops. Some also believe that the Dutch word “kapen,” which also loosely translates to “to steal or take,” There are similar words in Latin, Dutch and French mean-ing “capture.” Since a significant part of a policeman’s duty is to capture those who steal, it’s a good fit. As far as its use as a synonym for a plea bargain, the defendant “takes” leniency as opposed to the more serious charge or penalty. Keep mind though that a significant number (nowhere close to a majority) see the phrase coming from the Latin “culpa” or “guilt” because that’s what the deal usually involves (cop a plea/culpa plea).

The law enforcement officers – both county and a number of locals – suc-ceeded in getting the chaos under control. Deputy hustled Sandy and me to the Freeholders’ meeting room about a block away. They stood watch both inside and out. Unfortunately, neither Sandy nor I found their presence particularly com-forting, recent events considered. After a bit Budd is Orenstein of the Secaucus PD arrived. He had commandeered several other Secaucus officers on site to join in the vigil. That dialed my DEFCON level down to yellow.

After about two hours, a deputy sum-moned us to the chambers of Judge Stanley Evans, the Presiding Judge of the Criminal Division. A tall, ex-military, gentleman (in every sense of the word) his height, stintenter voice (he called it his Colonel’s Voice) and gimlet gaze allowed him to loom while remaining seated. A long, glass covered conference T-boned his already capacious desk. Around the conference table sat Gina Sciancalepore who currently chaired the Hudson County Board of Chosen Freeholders, Hosts’ Ass’t DA Carl Coleman, the Hudson County Sheriff, and a handcuffed Ernie Tran. Five deputies provided security.

“First thing I want to know, Mr. Tran, is how you got that firearm in the courthouse.”

“Found it in the men’s room, Your Honor. I was looking for a deputy to turn it in, and then things started happening really quick.” Judge Evans’ eyes said he wasn’t buying it. The sheriff’s eyes said the same, with a personal “I hate you” tacked on. The judge could see that Sandy fought for control, a battle within her of Biblical scale. His solicitousness allowed me a moment to lean over to Ernie and ask:

“Did I hear you correctly, or did you actually call out ‘Expecto Patronum’ as you fired?”

He shrugged. “Tell me when you think I’d have a better chance to use that line.”

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Can We Survive This?

By Rex Travis

I lead a pretty peaceful life. But last week, not so much so. The other evening, I was on my way home from work downtown and stopping at Lido, the Vietnamese-French restaurant at N.W. 23rd and Classen. As I approached that intersection from the south, I saw, at about 20th street, probably 15 or 20 police cars. I was puzzled until I got to 23rd and Classen. There I was stopped by a large group of protesters shouting and carrying signs.

I was in my little sports car with the top down and surrounded by demonstrators. One of them, an attractive young woman was just to the right and slightly ahead of my car. She suddenly turned toward my car and began to shout obscenities, apparently at me! Others in her group began to move past my car and I soon realized it was some redneck, in a pickup truck to my left—and not I—who was the object of all the yelling. The redneck was yelling obscenities at the demonstrators and they were yelling at him and moving around my car to confer more closely with the redneck. As soon as the light changed and the demonstrators got out from in front of my car, I got out of there, picked up my takeout from the restaurant, and headed for home.

As I drove home, somewhat shaken, I thought, here we are in the middle of a global pandemic, the likes of which we have not seen in our lifetimes. Now we also have civil unrest of a sort we have not seen since the aftermath of the killing of Dr. Martin Luther King, in 1968. Unemployment is (as this is written) as high as it was at the height of the great depression.

I got home and got a dose of the talking heads on TV, speculating on whether we can recover from the mess we are in. It was as if they were saying “We’ve never seen times like this!”

Well, let’s think about that. If we go back a generation or two (for most of us) we find that, beginning in 1929, we entered the Great Depression with unemployment at what was then an all-time high. The stock market crashed and the unemployment rate rose from 3.2% in 1929 to 24.9% in 1933. By December of 1941, unemployment was still at 14.6%. (During this economic crisis, the rate hit 14.7.) Then, on December 7, 1941, the United States was dragged into a giant world war with the attack on Pearl Harbor. In 1940, we had 269,023 men in the army and 160,997 in the navy. Surely, that was going to be the end for us all!

But what actually happened was that we grew that military until, by the end of WWII, in 1945, we had 12 million men under arms. From that awful beginning, we lead the forces of the free world to a brilliant victory!

And, something else happened: of the 16 million who served in the military in WWII, 7.8 million took advantage of the GI Bill and got an education, either college or technical school. We ended up with the most educated generation ever. We came out of that war with developed economies and moved on to become an economic behemoth leading the world economically.

To go back just a little further, the United States got into World War I and, while trying to put together an army to fight that war had a pandemic not unlike the one. Unemployment peaked in 1921 at 11.7%. And, race relations could hardly have been worse. Black Americans served in combat with distinction in France and expected to be respected for it. They weren’t. The result was race riots, including the massacre and burning of much of the segregated black part of Tulsa in 1921. A hundred and twenty-nine black people were lynched in the United States in 1919 and 1920. But the economy recovered and we had a prosperous period from 1922 through the stock market crash in 1929. Even before that, the low point for the United States had to be the Civil War, from 1861 to 1865. During that period the two sides together lost 750,000 men killed, slightly more from the North than the South (because the North had more troops). When we consider how divided we perceive the country now, we need to remember that, in the Civil War and for many years afterward, the northern and southern parts of the country hated one another in a way we cannot match today.

We came out of that war (as we come out of most wars) deeply in debt. Yet, after all that, while we came out of the Civil War with a racial problem which endures to this day, we entered into a time of mostly prosperity which endured to this day!

If we go back even further, we find that often times of great distress to societies result in surprisingly good outcomes. Our European ancestors lived from the 800’s through the 1400’s under a feudal system. The basis of the feudal system was that all land was owned by the king. The early English cases held that “All lands are helden of the King.”

The theory was that God gave the land to the King, who had the right to do with His lands whatever he wanted. What he did was appoint Lords to serve him militarily and, in return, gave them land from which they could derive income. The way they derived income was to have other people till that land and pay a percentage to the Lord. The people who farmed the land were called peasants in Western Europe and serfs in Russia and Eastern Europe. Under the feudal system, if one Lord transferred property to another Lord, the peasantry thatproperty was transferred. He could sell or otherwise transfer the land and the people.

And then came plague. Between 1346 and 1353, between a third and a half of the people died of plague in Eurasia and North Africa. Some countries were harder hit, losing up to 80% of their populations! With the severe depopulation, the demand for labor far outstripped the supply. The survivors left the service of the Lord, went to the cities and got jobs which paid better than the subsistence living they made working the land for the Lord and King. They learned trades and became skilled tradesmen instead of peasants. The medi eval world survived the plague and came out of it stronger.

So we will survive this. Fierce efforts are going on to produce drugs to treat COVID-19 and vaccines to prevent it. We now have a drug, Remdesivir, which has shown great promise in early trials in treating the virus. That drug is now being produced in great quantities to treat the surge in the number of cases feared, particularly after the excessive violation of social separation we now see. Even before the testing has been completed of vaccines for the virus, at least three companies are producing large quantities of different vaccines so that they will be available to large numbers of people the world over as soon as testing is complete.

We will reach the much-desired “herd immunity” through a combination of effective vaccinations and people surviving and developing antibodies which give them immunity. It will be tough for us to get through until then, but we will get through.

And, more than 150 years after we ended slavery in the United States, we will finally overcome our baked-in racism which still impairs us from living in a color-blind society. Older people have more trouble accepting this and they are passing on. The younger generations, who will soon be a majority have much less trouble accepting that we are all one people.

There is cause for great hope. This too shall pass. And we will survive this!

We Need Your Help

In this crazy pandemic world, we need your help. Other than this wonderful Briefcase that you are reading, we have very limited ways of reaching you. Lately, there have been Administrative Orders from the Supreme Court and District Court that we have tried to share with you. HOWEVER, many of the email addresses that you are reading, we have tried to share with you. If you haven’t gotten an email from the OCBA in a while, please give us a call to confirm that we have the correct address! Thanks so much!
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Announces Candidates for 2020–2021

President-Elect

Shanda McKenney, Angela D. Ailles & Associates. J.D. – Oklahoma City University 2002. OCBA activities include: Young Lawyers Division, Chair 2017-2018; OCBA Board of Directors, 2019 – present; OCBA Awards Committee. OBA activities include: Intellectual Property Section, Member; Oklahoma County Bar Association, Current Advocacy Captain; ABA activities include: Intellectual Property Section, Member; Oklahoma County Bar Association; Criminal Defense Lawyers Association; Parent Promise Center Board Member.

Matt Blue, Coleman Law Office. J.D. – Oklahoma City University 2003. OCBA activities include: Young Lawyers Division Board Member; Law Library Trustee 2014-2016. ABA activities include: Member. Other Legal/Community activities include: Hope Retreat Ranch Board Member; YWCA Investment Committee Member.

Cathy L. Carlet, Law Offices of Connie Calvert & Gregg W. Luther PLLC. J.D. – Oklahoma City University 2016. OCBA activities include: Member; Winter Seminar in Santa Fe. OBA activities include: Member. Other Legal/Community activities include: 20-year banking career prior to law school; Society for Human Resource Management, Senior Certified Professional; Oklahoma Judicial Nominating Commission 2009-2010; Parent Promise Board Member 2017-2019; Oklahoma American Heart Association, Board Member/Chairwoman 2002-2008, Co-Chair OKC 2005 Heart Ball.

Judge Heather E. Coyle, Oklahoma County District Court. J.D. – Oklahoma University 1999. OCBA activities include: Member; Oklahoma County Law Library Board of Trustees. OBA activities include: Member. Other Legal/Community activities include: William J. Holloway American Inn of Court, Past District President for ExChange Club, Current District Board Member; Rotary Club 29 Member; Junior League of OKC Sustainer; Harn Homestead Board of Directors; FBA mentor; CASA of Oklahoma County Board of Directors; DRI member.

LAW LIBRARY TRUSTEE

Benjamin R. Grubb, DeWitt Panoulo Meek PLLC. J.D. – Oklahoma City University 2013. OCBA activities include: Young Lawyers Division, Chair 2018-2019; The Briefcase Editor 2019 – present. ABA activities include: Member. Other Legal/Community activities include: OADC member; Luther Bohanon Inn of Court; Federal Bar Association member; FBA mentor; CASA of Oklahoma County Board of Directors; DRI member.

BOARD OF DIRECTORS

Ed Blau, Blau Law Firm PLLC. J.D. – University of Oklahoma 2005. OCBA activities include: Delegate to OBA House of Delegates; Fee Grievance & Ethics Committee; Community Service Committee; Table sponsor for most luncheon events; Golf Tournament sponsor. OBA activities include: Lawyers for Heroes Volunteer; Lawyers Helping Lawyers; Law Day Ask A Lawyer; Legislative Monitoring Committee Speaker. Other Legal/Community activities include: Oklahoma County Criminal Defense Lawyers Association member; Indigent Defense Panel Member for Western District of Oklahoma.

Reign Karpe, Angela D. Ailles & Associates. J.D. – Oklahoma City University 1998. OCBA activities include: Community Service Committee; Bench & Bar Committee. OBA activities include: Women in Law Committee, Co-Chair 2016; Legislative Monitoring Committee. ABA activities include: TIPS Auto Litigation Committee, Vice Chair, Member of Staff Counsel Committee, 2020 NAAC Regional Competition Judge. Other Legal/Community activities include: Served as Executive Director, Oklahoma Association of Defense Counsel, Board Member/Legislative Committee Member; U.S. Supreme Court Bar.

Chad Kellhofer, Fulmer Sill. J.D. – Oklahoma City University 2011. OCBA activities include: Briefcase Committee. OBA activities include: Professionalism Committee. Other Legal/Community activities include: William J. Holloway Inn of Court.

Katherine Mazaheri-Franze, Mazaheri Law Firm. J.D. – Oklahoma City University 2007. OCBA activities include: 2020 President-Elect; Attendee; OBA House of Delegates. OBA activities include: Labor & Employment Update. Other Legal/Community activities include: OCU Alumni Association Board, Mentorship Committee; YWCA of Oklahoma City, Board of Trustees, Woman Who Care Share; Purple Sash Gala, Governance Committee; National Employment Lawyers Association; Oklahoma Employment Lawyers Association; OKC ICE Liaison; Oklahoma County Criminal Defense Lawyers Association; Parent Promise Center Board Member.

Kendall Sykes, Cathy Christensen & Associates. J.D. – Oklahoma City University 2007. OCBA activities include: Briefcase Committee; Briefcase Committee Award 2019. OBA activities include: Leadership Academy 2018. Other Legal/Community activities include: Oklahoma County Guardian ad litem Institute, Board Member; Legal Aid Services of Oklahoma Volunteer.
OCBA COMMITTEES/SECTIONS/DIVISION
2020-2021

Awards Committee -- This committee is responsible for OCBA Award nominations, the OBA Award nominations and the Leadership in Law Awards. Chair – Michael W. Brewer

Bench & Bar Committee -- Working to improve relations between the bench and the bar, this committee has two major projects. During election years, judicial candidate opinion polls are taken with results being released to the public in an effort to provide public information. This committee is also responsible for the bi-annual Bench & Bar Conference. Chair – Daniel Couch Vice Chair – Ronald Shinn

Briefcase Committee -- This committee is responsible for the monthly publication Briefcase. They recruit articles, write articles, edit and proof each month. Chair & Editor – Benjamin Grubb

Continuing Legal Education Committee -- Responsible for providing quality CLE programs to OCBA members at discounted prices, this committee plans sessions each year through the months of October through February.

Co-Chairs – Jeffery Curran & Daniel Webster

Community Services Committee -- This committee plans community services projects such as assisting the local youth shelter. This committee works with the Juvenile Justice Center in providing incentives for their teens on probation as well as providing parties for nursing home residents. Chair – Monica Ybarra

Fee Grievance & Ethics Committee -- Comprised of lawyer and non-lawyer members, this committee investigates complaints of clients against attorneys who are OCBA members. They are deputized through the OBA to investigate and recommend disposition of such cases.

Chair – LeAnne Burnett Vice Chair – Amy Pierce

Law Day Committee -- This committee is responsible for all Law Day activities which include the Law Day Luncheon, Ask A Lawyer Program, student mentoring program and civic group speakers.

Chair - Kellie Howell

Lawyers Against Domestic Abuse – This committee works to raise awareness of domestic abuse. Working with theYWCA and Attorney General’s Office, the committee provides training of attorneys & judges in dealing with domestic abuse situations and provides resources online and on the 1st floor of the Oklahoma County Courthouse for victims. They also work to provide victim advocates and a Bench Book on Domestic Violence Cases for Oklahoma County judges.

Chair – Nicole M. Gillett Vice Chair – Anden Bull

Lawyers for Learning – This committee is involved as Reading Buddies in the OKC Public School’s Community Involvement initiative working with Adams, Buchanan, Lee and Hillcrest Elementary Schools. The Lawyers in the Classroom and Voices for Children are also included under this committee.

Chair – Virginia Holleman

Bankruptcy Section -- This section meets 10 months a year at the U.S. Bankruptcy Court to discuss current issues in the bankruptcy area. There is a membership fee of $120 which provides for lunch at these meetings.

Chair – Jason Sansone

Corporate Counsel Section – This section involves in-house corporate attorneys and offers a chance for them to network with each other in a social setting. They also provide special CLE pertaining to Corporate Counsel.

Co-Chairs – Jami Fenner & Coree Stevenson

Family Law Section -- This section works with the judges of the Family Law Division in providing up-to-date information to those attorneys practicing in the family law area.

Co-Chairs – Christina Gelona Hendrickson & Rachel Morris

Young Lawyers Division -- This hard-working group of young lawyers takes on many projects each year. Some of these projects include the Harvest Food Drive, Striking Out Hunger Bowling Tournament in the summer and Chili Cook-off in the winter. The Community Service Subcommittee plans 3 community service projects each year.

Chair – Amber Martin Vice Chair – Cami Ruff
We Fooled Ourselves

White indifference is a weed that must continually be hoed for our national garden to flourish. Will you change or be the change to help cultivate our society?

We fooled ourselves. We believed the hype. We passed the Civil Rights Act and trusted that a new day had dawned. We made Martin Luther King Jr.’s birthday a federal holiday and pawtted ourselves on the back. We elected a black President and knew that racism was relegated to our past. We ignored the fact that black Americans are twice as likely to live in poverty than white Americans, and that Native Americans have a poverty rate of 25%. We were indifferent to the fact that black students and other minorities often only have access to schools with less qualified, lower salaried and novice teachers. We didn’t even consider how or why homeownership for black college graduates is lower than white high school dropouts.

We did know about the police violence. We watched the beating of Rodney King. We then watched person after person unnecessarily killed. Eric Garner, Michael Brown, Laquan McDonald, Breonna Taylor, Botham Jean, numerous others and now George Floyd. While we need police reform, it is only hopeful, but necessary, to see everyone protesting.

Have we made progress on racial issues? Of course. But we did not get here over night. It is believed that the first African slaves arrived in what would become the United States in 1619 — after being kid napped from their villages and approximately half dying on the journey over. In 1863, more than 200 years later, the Emancipation Proclamation was issued and in 1870 the Fifteenth Amendment ended slavery in form, if not in substance. The work continued in combating Jim Crow laws by passing the Civil Rights Act of 1964 and other reforms. In order to provide more opportunities we implemented affirmative action programs and hoped that was enough.

It was not just politicians who believed equality, or enough equality, had been achieved. In 2013, the U.S. Supreme Court effectively struck down the heart of the Voting Rights Act of 1965. Several states were then enabled to change their election laws without advance federal approval. There was no political pres sure for the Court to reach this decision. In 2006 Congress reauthorized the law with a 390 to 33 vote in the House and unanimously in the Senate. Nevertheless, in Shelby Cty., Ala. v. Holder, the Court reasoned that “[n]early 50 years later, things have changed dramatically. Largely because of the Voting Rights Act, voter turnout and registration rates in covered jurisdictions now approach parity... And minority candidates hold office at unprecedented levels.” 570 U.S. 529, 531, 133 S. Ct. 2612, 2616, 186 L. Ed. 2d 651 (2013) (internal quotations omitted). Since this opinion we have seen the prevalence of voter ID laws and extreme partisan redistributing rise to the forefront.

Progress is not achieved when good people do nothing. White indifference is a weed that must continually be hoed for our national garden to flourish. Will you change or be the change to help cultivate our society?
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OBITUARY

Another Loss for the Legal Community and the World

On June 5, 2020, at the age of 79, Philip F. Horning passed away at home in Oklahoma City after courageously battling prostate cancer for two years. Phil attended the University of Oklahoma where he received his BA degree in Economics. Soon after, he was commissioned a 2nd Lieutenant in the U.S. Army Reserves. After completing active duty, he returned to OU to attend law school on the G.I. Bill. He received his J.D. degree, and was honorably discharged from the Army as a Captain, in 1968.

Phil began his law practice in Oklahoma City with his father-in-law, Merton Bulla, and eventually established his own firm. Over the years, the firm had several iterations, but long-term-partner relationships were established with Kent Johnson, Roger Grove, Jim Moore, Carrie Hulett and Carolyn Thompson, referred to in recent years as his “second family”. As a young attorney, he handled criminal and civil rights cases, among others, but finally settled on family law. He served as an Adjunct Professor of Law at both the University of Oklahoma and Oklahoma City University, served on the Board of Governors of the Oklahoma Bar Association and the Board of Directors of the Oklahoma County Bar Association. In 1979, he received the Oklahoma County Bar Ethics Award and in 2011, the Oklahoma Bar Association Public Service Award. Additionally, he was named in “The Best Lawyers in America” annually from 1987 until he retired at age 62.

Shortly after retirement, Phil became a volunteer tutor at Linwood Elementary School, tutoring for ten years until hearing loss made it difficult to hear the students’ voices. That experience and others’ encouragement led him to run for the Oklahoma City School Board, where he served for eight years. Phil was a Norman boy, an athlete, scholar, diehard Sooner fan, respected lawyer, proud Democrat, funny guy, friend to many and a family man. He and his wife, Marian (Bulla) were married almost 56 years, sweethearts to the end. Phil is survived by Marian, his beloved children Clay Horning and Sara Horning Szabla and his precious grandchildren Harper Horning Paskowski and Reyne and Jack Szabla. No service planned at this time.

If you would like to make a memorial donation, the family asks you to consider a contribution to the Philip F. Horning OKC PS College Scholarship Fund. The scholarship was created in honor of Phil’s service to Oklahoma City Public Schools, for deserving graduating seniors from designated OKC PS high schools. This fund is part of the Oklahoma City Community Foundation and tax-deductible donations can be made online at donate.occf.org, or by check, payable to the Philip F. Horning OKC PS College Scholarship Fund and mailed to Oklahoma City Community Foundation, P.O. Box 1146, Oklahoma City, OK 73101-1146.
branch in northwest Oklahoma

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grow, state Treasurer Randy

State expands availability

moderation

U.S. lays out enforcement

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and the state's secretary of

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others in the Sooner State.

Proposed coal mine expansion opposed

calling for the Bureau of Land Management to

The Sierra Club's Oklahoma chapter is

how it will enforce rules

benefit to us and not consequential to anyone

plan.

acreage would support the company's mining

existing subsidies that make coal mining

debate in the medical community across the

few hundred dollars to more than $10,000.

garnished wages to collect

lawsuits against their former patients over

In many of those cases, the hospitals have

An Oklahoma Watch review of court re-

“... Plenty of cleaner, safer, healthier energy

climate-friendly than coal,” Bridgwater said in

... Options exist for Oklahoma – more and more,

John Jeffrey is a consulting actuary, specializing

in retirement plan consulting and post-employ-

ment health care benefits, for Conrad Siegel,

Mike Kushner is the owner of Omni Realty

An organization's retirement plan

understanding the seller's retirement plan

– or that the seller's 401(k) plan does not

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subscription is non-refundable.
Conner & Winters, LLP Welcomes Rudicel as Marketing Director

Conner & Winters hired Laura Rudicel as its first-ever director of marketing. Rudicel brings with her nearly twelve years of experience in journalism, public relations and marketing.

As the firm’s new marketing director, she will provide strategic oversight for all firm marketing and communications efforts. This will include managing budgets, department operations, and the execution of the overarching creative, marketing and communications strategies. Additionally, Rudicel will oversee the development and implementation of support materials and services for business development.

Immediately prior to joining Conner & Winters, Rudicel served as an account supervisor at Saxum where she worked closely with organizations in the banking, healthcare, energy, nonprofit and government sectors and led internal teams to accomplish marketing goals for her clients. Her work portfolio includes developing strategic marketing plans, offering crisis communications counsel, leading global PR efforts for one of the largest conferences in Houston and preparing c-suite executives for media opportunities.

Additionally, Rudicel served as marketing communications manager at the Oklahoma City-County Health Department, multisite City-County Health Department, multisite

Rudicel previously served on the Public Relations Society of America Oklahoma City Chapter board and graduated from Leadership Lawton Fort Sill.

Marshall Joins Conner & Winters as Partner

Conner & Winters LLP announced Rich Marshall joined the firm as a partner in the banking and finance and real estate areas. Marshall relocated his family to Tulsa, Oklahoma after spending 20 years representing financial institutions, developers and investors in Dallas.

Prior to joining Conner & Winters, Marshall had a solo practice. He has represented institutions in asset based commercial loan transactions across the United States and principal real estate constituents in the Dallas metro. Marshall also holds a commercial real estate licenses in Oklahoma and Texas. Marshall earned a J.D. from the Columbia University School of Law and graduated from the University of Oklahoma with a B.A. in English.

Hall Estill Attorney John F. Heil, III Confirmed to Federal Judicial Post

Hall Estill announced that Hall Estill attorney John F. Heil, III has been confirmed by the U.S. Senate to serve as the U.S. District Judge for the Northern, Eastern and Western Districts of Oklahoma.

Heil is a shareholder and director at Hall Estill where his practice focuses on complex commercial litigation. Before joining Hall Estill, Heil served the State of Oklahoma as Assistant District Attorney in the Tulsa County District Attorney’s Office. Heil earned his B.S. from Oklahoma State University and his J.D., with honors, from the University of Tulsa College of Law, where he served as an Editor for the Tulsa Law Journal.

Crowe & Dunlevy elects seven new directors

Crowe & Dunlevy recently named Zane T. Anderson, Joshua D. Burns, Anthony Hendricks, Jennifer N. Lamirand, Paige A. Masters, Melanie Wilson Rughani and Jennifer R. Willey as directors in the firm.

Anderson is in the business department for the firm’s Oklahoma City office. He is a member of the Banking & Financial Institutions, Cannabis Industry, Corporate & Securities, Entertainment, Indian Law & Gaming, Private Wealth & Closely-Held Business and Real Estate Practice Groups. A graduate of the Oklahoma City University School of Law, he earned his undergraduate degree from Oklahoma State University.

Burns is in the firm’s Oklahoma City office where he is a member of the firm’s Banking & Financial Institutions, Bankruptcy & Creditor’s Rights, Energy, Environment & Natural Resources, Healthcare and Litigation & Trial Practice Groups. He earned his Juris Doctor degree from Oklahoma State University.

Rughani serves as the co-chair of both the Appellate and the Initiative Petitions Practice Groups in the firm’s Oklahoma City office. A graduate of the University of Michigan Law School and his undergraduate degree from Yale University.

Hendricks serves in the Bankruptcy & Creditor’s Rights, Energy, Environment & Natural Resources, Litigation & Trial, Criminal Defense, Compliance & Investigations and Administrative & Regulatory Practice Groups for the firm’s Oklahoma City office. He is a graduate of Harvard Law School and holds an undergraduate degree from Howard University.

Lamirand works in the firm’s Oklahoma City office and serves in the Indian Law & Gaming, Securities Litigation, Enforcement & Compliance, Litigation & Trial, and Insurance Practice Groups. She received her Juris Doctor from the University of Notre Dame Law School, her undergraduate degree from Oklahoma State University, and a Master of Laws degree from the London School of Economics and Political Science. Lamirand also serves as an associate justice on the Citizen Potawatomi Nation Supreme Court.

Masters is a member of the Litigation & Trial, Appellate and Healthcare Practice Groups for the firm’s Oklahoma City office. She graduated from Oklahoma City University School of Law and holds an undergraduate degree from Oklahoma State University.

Willey is in the firm’s Oklahoma City office and a member of the Securities Litigation, Enforcement & Compliance, Healthcare and Administrative & Regulatory Practice Groups. She is a graduate of Oklahoma City University School of Law and earned her undergraduate degree from Bellevue University.